

Permission for Dave and Verla Bentrup to sue the state
(SCR 143 by Brown)

DIGEST: The resolution would have granted D. Dave Bentrup and Verla A. Bentrup permission to sue the State of Texas and the Texas Alcoholic Beverage Commission for violation of civil rights, false arrest and imprisonment, assault and battery, and denial of due process.

GOVERNOR'S
REASONS
FOR VETO:

The Governor noted that the Bentrups had already sued the Texas Alcoholic Beverage Commission and that the suit had involved allegations identical to those made the subject of this resolution. When the case was tried in federal court in Galveston County the jury ruled against the Bentrups. Thereafter, the Court awarded the Bentrups nominal damages, and the case was not appealed. The State paid \$12,000 in attorney fees in that case. The Governor said that the resolution allowing the Bentrups to sue again "would only serve to waste the state's resources in continuing to defend this lawsuit, and would only further congest the already crowded state-court dockets and require the Attorney General of Texas to continue to defend a second lawsuit based upon the same facts."

SPONSOR'S
VIEW:

Sen. Brown had no comment on the veto.